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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

LOOKSMART GROUP, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION

Defendant.

Case No.: 3:17-cv-04709-JST

**[PROPOSED] ORDER GRANTING
LOOKSMART’S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF LOOKSMART’S
OPPOSITION TO MICROSOFT’S
MOTION FOR SUMMARY JUDGMENT
OF NONINFRINGEMENT,
LOOKSMART’S MOTION FOR
SANCTIONS STRIKING MICROSOFT’S
BELATEDLY DISCLOSED NON-
INFRINGEMENT DEFENSES,
LOOKSMART’S RESPONSE AND
OPPOSITION TO MICROSOFT’S
MOTION TO EXCLUDE THE
TESTIMONY OF LOOKSMART’S
DAMAGES EXPERT, MICHAEL J.
LASINSKI, AND EXHIBITS THERETO**

PROPOSED ORDER

Before the Court is Plaintiff Looksmart Group, Inc.’s (“Looksmart” or “Plaintiff”) Administrative Motion to Seal LookSmart’s Opposition to Microsoft’s Motion for Summary Judgment of Non-Infringement, LookSmart’s Motion for Sanctions Striking Microsoft’s Belatedly Disclosed Non-Infringement Defenses, LookSmart’s Response and Opposition to Microsoft’s Motion to Exclude the Testimony of LookSmart’s Damages Expert, Michael J. Lasinski, and Exhibits thereto (the “Administrative Motion”). The Court finds that the parties have articulated compelling reasons to seal the documents submitted in connection with Looksmart’s respective motions and oppositions. The proposed redactions are narrowly tailored. The Court’s ruling on the sealing requests are set forth in the table below.

| <u>Document to be Filed Under Seal</u> | <u>Portion(s) to be Sealed</u> | <u>Evidence Offered in Support of Sealing</u> | <u>Order</u> |
|---|---------------------------------------|--|---------------------|
| LookSmart’s | Redacted portions on | Day Decl. ¶ A(1) | Granted |

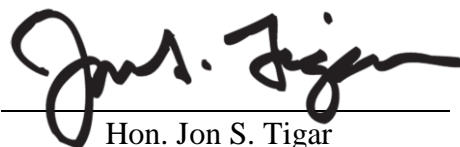
| | | | | |
|----|---|---|-------------------|---|
| 1 | Opposition to | pages i, 1, 3-9, 19-23 | | |
| 2 | Microsoft's Motion for | | | |
| 3 | Summary Judgment of | | | |
| 4 | Non-Infringement | | | |
| 5 | Exhibit C | Entire document | Day Decl. ¶ A(3) | Granted only as to redactions proposed by Microsoft, ECF No. 145-3 |
| 6 | Exhibit D | Entire document | Day Decl. ¶ A(4) | Granted |
| 7 | Exhibit E | Entire document | Day Decl. ¶ A(5) | Granted |
| 8 | Exhibit F | Entire document | Day Decl. ¶ A(6) | Granted |
| 9 | Exhibit G | Entire document | Day Decl. ¶ A(7) | Granted only as to redactions proposed by Microsoft, ECF No. 145-5 |
| 10 | Exhibit H | Entire document | Day Decl. ¶ A(8) | Granted |
| 11 | Exhibit I | Entire document | Day Decl. ¶ A(9) | Granted only as to redactions proposed by Microsoft, ECF No. 145-7 |
| 12 | | | | |
| 13 | Exhibit J | Entire document | Day Decl. ¶ A(10) | Granted |
| 14 | Exhibit K | Entire document | Day Decl. ¶ A(11) | Granted |
| 15 | Exhibit L | Entire document | Day Decl. ¶ A(12) | Granted |
| 16 | Exhibit M | Entire document | Day Decl. ¶ A(13) | Granted |
| 17 | Exhibit N | Entire document | Day Decl. ¶ A(14) | Granted |
| 18 | Exhibit U | Entire document | Day Decl. ¶ A(15) | Granted |
| 19 | Exhibit V | Entire document | Day Decl. ¶ A(16) | Granted |
| 20 | Exhibit W | Entire document | Day Decl. ¶ A(17) | Granted |
| 21 | Exhibit X | Entire document | Day Decl. ¶ A(18) | Granted |
| 22 | Exhibit Y | Entire document | Day Decl. ¶ A(19) | Granted |
| 23 | Exhibit Z | Entire document | Day Decl. ¶ A(20) | Granted |
| 24 | Exhibit AA | Entire document | Day Decl. ¶ A(21) | Granted |
| 25 | Exhibit BB | Entire document | Day Decl. ¶ A(22) | Granted |
| 26 | Exhibit CC | Entire document | Day Decl. ¶ A(23) | Granted |
| 27 | Exhibit DD | Entire document | Day Decl. ¶ A(24) | Granted |
| 28 | Exhibit HH | Entire document | Day Decl. ¶ A(25) | Granted |
| | LookSmart's Motion for Sanctions Striking Microsoft's Belatedly Disclosed Non-Infringement Defenses | Redacted portions on pages i, 1-12, 15-17 | Day Decl. ¶ C(1) | Granted only as to redactions proposed by Microsoft, ECF No. 145-13 |
| | Exhibit 2 | Entire document | Day Decl. ¶ C(2) | Granted |
| | Exhibit 3 | Entire document | Day Decl. ¶ C(3) | Granted |
| | Exhibit 4 | Entire document | Day Decl. ¶ C(4) | Granted only as to redactions proposed |

| | | | |
|------------|-----------------|-------------------|---|
| | | | by Microsoft, ECF No. 145-15 |
| Exhibit 5 | Entire document | Day Decl. ¶ C(5) | Granted |
| Exhibit 6 | Entire document | Day Decl. ¶ C(6) | Granted only as to redactions proposed by Microsoft, ECF No. 145-17 |
| Exhibit 7 | Entire document | Day Decl. ¶ C(7) | Granted only as to redactions proposed by Microsoft, ECF No. 145-19 |
| Exhibit 8 | Entire document | Day Decl. ¶ C(8) | Granted only as to redactions proposed by Microsoft, ECF No. 145-21 |
| Exhibit 9 | Entire document | Day Decl. ¶ C(9) | Granted only as to redactions proposed by Microsoft, ECF No. 145-23 |
| Exhibit 10 | Entire document | Day Decl. ¶ C(10) | Granted only as to redactions proposed by Microsoft, ECF No. 145-25 |
| Exhibit 11 | Entire document | Day Decl. ¶ C(11) | Granted only as to redactions proposed by Microsoft, ECF No. 145-27 |
| Exhibit 12 | Entire document | Day Decl. ¶ C(12) | Granted only as to redactions proposed by Microsoft, ECF No. 145-29 |
| Exhibit 13 | Entire document | Day Decl. ¶ C(13) | Granted only as to redactions proposed by Microsoft, ECF No. 145-31 |
| Exhibit 14 | Entire document | Day Decl. ¶ C(14) | Granted only as to redactions proposed by Microsoft, ECF No. 145-33 |
| Exhibit 15 | Entire document | Day Decl. ¶ C(15) | Granted |
| Exhibit 16 | Entire document | Day Decl. ¶ C(16) | Granted |
| Exhibit 17 | Entire document | Day Decl. ¶ C(17) | Granted only as to redactions proposed by Microsoft, ECF No. 145-35 |
| Exhibit 18 | Entire document | Day Decl. ¶ C(18) | Granted only as to |

| | | | |
|---|--------------------------------------|-------------------|---|
| | | | redactions proposed by Microsoft, ECF No. 145-37 |
| Exhibit 19 | Entire document | Day Decl. ¶ C(19) | Granted |
| Exhibit 20 | Entire document | Day Decl. ¶ C(20) | Granted |
| Exhibit 21 | Entire document | Day Decl. ¶ C(21) | Granted |
| Exhibit 22 | Entire document | Day Decl. ¶ C(22) | Granted |
| Exhibit 23 | Entire document | Day Decl. ¶ C(23) | Granted only as to redactions proposed by Microsoft, ECF No. 145-39 |
| Exhibit 24 | Entire document | Day Decl. ¶ C(24) | Granted only as to redactions proposed by Microsoft, ECF No. 145-41 |
| Declaration of Dr. Michael J. Pazzani Regarding Microsoft's Non-Infringement Defenses | Redacted portions on pages 3-10 | Day Decl. ¶ A(2) | Granted |
| LookSmart's Response and Opposition to Microsoft's Motion to Exclude the Testimony of LookSmart's Damages Expert, Michael J. Lasinski | Redacted portions on pages 1-2, 5-14 | Day Decl. ¶ B(1) | Granted only as to redactions proposed by Microsoft, ECF No. 145-9 |
| Exhibit 1 (Expert Report of Michael J. Lasinski) | Entire document | Day Decl. ¶ B(2) | Granted |
| Exhibit 2 (Irvine Rebuttal Expert Report) | Entire document | Day Decl. ¶ B(3) | Granted only as to redactions proposed by Microsoft, ECF No. 145-11 |

IT IS SO ORDERED.

Date: June 27, 2019



Hon. Jon S. Tigar
United States District Court Judge